

Message Text

SECRET

PAGE 01 GENEVA 11782 01 OF 02 021121Z
ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 DODE-00 CIAE-00
INRE-00 DOEE-00 /026 W
-----044862 021125Z /11
O 021108Z AUG 78
FM USMISSION GENEVA
TO SECSTATE WASHDC IMMEDIATE 2756
INFO AMEMBASSY LONDON PRIORITY
AMEMBASSY MOSCOW PRIORITY

S E C R E T SECTION 01 OF 02 GENEVA 11782

EXDIS USCTB

PASS TO DOE

E.O. 11652:XGDS-3
TAGS: PARM US UK UR
SUBJECT: CTB NEGOTIATIONS: INITIAL CONSIDERATION OF PNE
PROTOCOL IN POLITICAL WORKING GROUP; AUGUST 1, 1978

CTB MESSAGE NO. 279

1. SUMMARY: ON AUGUST 1, POLITICAL WORKING GROUP BEGAN
CONSIDERATION OF PNE PROTOCOL. US DEL OFFERED ILLUSTRATIVE
TEXT (PARA 4 BELOW). SOV DEL SAID THAT SOV TEXT OF FEBRUARY 13
(CTB 136) STILL STANDS, BUT DID NOT OFFER IMMEDIATE COMMENT
ON THE US ILLUSTRATIVE TEXT. END SUMMARY.

2. PRIOR TO AUGUST 1 POLITICAL WORKING GROUP DISCUSSION
OF PNE PROTOCOL, US DEL DEVELOPED, IN CLOSE CONSULTATION
WITH THE UK DEL, ILLUSTRATIVE LANGUAGE ON THIS ISSUE.
IN DOING SO, THE US DEL IS WORKING FOR A PROTOCOL WHICH
WILL CONTAIN THE FOLLOWING ELEMENTS:

SECRET

SECRET

PAGE 02 GENEVA 11782 01 OF 02 021121Z

-- A CLEAR, LEGALLY BINDING BAN ON PNES UNLESS AND UNTIL
APPROPRIATE PNE ARRANGEMENTS ARE WORKED OUT.

-- AGREEMENT TO KEEP THE QUESTION OF PNES UNDER CONSIDERATION
AND DISCUSSION, WITHOUT IMPLYING THAT EFFORTS TO DEVELOP PNE
PROCEDURES WITHOUT PROVIDING WEAPONS BENEFITS WILL BE SUCCESSFUL,
OR THAT PARTIES ARE COMMITTED TO

REACH AGREEMENT ON ARRANGEMENTS FOR PNES.

-- NO PNE ARRANGEMENT WILL BE MADE WITHOUT UNITED STATES
CONSENT.

-- THE PROTOCOL WILL BE SUBJECT TO AMENDMENT BY THE SAME
PROCEDURES AS THE TREATY.

-- THE PROTOCOL MUST BE AN INTEGRAL PART OF THE TREATY
(THIS LAST ELEMENT HAS ALREADY BEEN ACHIEVED, IN THE DRAFT
ARTICLE II OF THE TREATY).

3. THE DELEGATION ANTICIPATES THAT CONSIDERABLE NEGOTIA-
TION OVER LANGUAGE AND CONSIDERATION OF ALTERNATIVE
FORMULATIONS, WILL BE NECESSARY TO ACHIEVE THESE OBJEC-
TIVES WITH RESPECT TO EACH OF THESE ELEMENTS. THEREFORE,
THE DEL DECIDED TO PRESENT, IN BEGINNING THE NEGOTIATIONS,
LANGUAGE THAT MAKES LITTLE MOVEMENT IN THE DIRECTION OF
THE SOVIET DRAFT OF LAST FEBRUARY.

4. LANGUAGE DEVELOPED BY THE US DEL IS AS FOLLOWS:

BEGIN TEXT: ILLUSTRATIVE LANGUAGE, US DELEGATION,
AUGUST 1, 1978 - PROTOCOL - ARTICLE I - 1. EACH PARTY
TO THIS TREATY UNDERTAKES TO PROHIBIT, TO PREVENT, AND
NOT TO CARRY OUT ANY NUCLEAR EXPLOSION FOR PEACEFUL
SECRET

SECRET

PAGE 03 GENEVA 11782 01 OF 02 021121Z

PURPOSES AT ANY PLACE UNDER ITS JURISDICTION OR CONTROL
IN ANY ENVIRONMENT.

2. EACH PARTY UNDERTAKES TO REFRAIN FROM CAUSING,
ENCOURAGING OR IN ANY WAY PARTICIPATING IN, THE CARRYING
OUT OF SUCH EXPLOSIONS ANYWHERE.

ARTICLE II - PARTIES TO THIS TREATY SHALL KEEP UNDER
CONSIDERATION THE SUBJECT OF NUCLEAR EXPLOSIONS FOR PEACE-
FUL PURPOSES, INCLUDING THE QUESTION OF CARRYING THEM OUT
IN A WAY THAT WOULD PRECLUDE MILITARY BENEFITS, AND OF
SUCH TREATY AMENDMENTS AS MAY BE APPROPRIATE. END TEXT.

5. AT POLITICAL WORKING GROUP MEETING, NEIDLE (US)
DISTRIBUTED THE ILLUSTRATIVE TEXT AND EXPLAINED OUR
THINKING. HE SAID OUR DRAFT DID NOT INCLUDE A PREAMBLE
TO THE PROTOCOL BECAUSE WE WOULD WANT TO CONSIDER LATER
WHETHER APPROPRIATE PREAMBULAR CLAUSES SHOULD BE INCLUDED
IN THE PREAMBLE TO THE TREATY ITSELF. ARTICLE I OF THE
PROTOCOL WAS A SIMPLE PARALLEL TO ARTICLE I OF THE TREATY.
IN ARTICLE II WE AIMED FOR AN ENTIRELY NEUTRAL FORMULA-
TION, WHICH SLANTED NEITHER TOWARD OUR VIEW THAT THE PNE

PROBLEM IS UNLIKELY TO BE SOLVED NOR TOWARD THE SOVIET VIEW THAT A SOLUTION WILL INEVITABLY BE FOUND. WE OMITTED THE DEFINITE ARTICLE "THE", BEFORE THE WORD "PARTIES," TO INDICATE THAT VARIOUS PARTIES MAY CONSIDER THE QUESTION IN VARIOUS COMBINATIONS AND IN DIFFERENT WAYS; ALTHOUGH THE PARTIES TO THESE TRILATERAL NEGOTIATIONS WOULD WORK ON THIS QUESTION, NOT ALL PARTIES WERE REQUIRED TO DO SO. GILLER (US) ADDED THAT WE WANTED TO MAKE SURE THAT NON-NUCLEAR WEAPON STATES WOULD NOT PARTICIPATE IN THOSE ASPECTS OF PNE CONSIDERATION INVOLVING SENSITIVE TECH-

SECRET

NNN

SECRET

PAGE 01 GENEVA 11782 02 OF 02 021128Z
ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 DODE-00 CIAE-00
INRE-00 DOEE-00 /026 W
-----044958 021135Z /11

O 021108Z AUG 78
FM USMISSION GENEVA
TO SECSTATE WASHDC IMMEDIATE 2757
INFO AMEMBASSY LONDON PRIORITY
AMEMBASSY MOSCOW PRIORITY

S E C R E T SECTION 02 OF 02 GENEVA 11782
EXDIS

NICAL DISCUSSIONS ABOUT HOW TO PRECLUDE MILITARY BENEFITS FROM EXPLOSIONS OF NUCLEAR DEVICES, AND THAT SUCH STATES WOULD HAVE LITTLE IF ANYTHING TO CONTRIBUTE TO DISCUSSIONS OF THAT KIND. BIRCH (UK) SUPPORTED THE US DEL'S VIEWS AND TEXT.

6. TIMERBAEV (USSR) SAID THAT HE WOULD NOT RESTATE THE SOVIET POSITION BUT NOTED THAT THE SOVIET DEL'S PAST STATEMENTS AND ITS TEXT OF LAST FEBRUARY REMAINED ON THE TABLE. HE INVITED NEIDLE TO COMMENT ON THE SOVIET TEXT.

7. NEIDLE EXPLAINED THAT ARTICLE I OF THE SOVIET TEXT DID NOT CLEARLY STATE A BAN ON NUCLEAR EXPLOSIONS. A REFERENCE TO A "MORATORIUM", IN THE ABSENCE OF SOME REFERENCE TO PROHIBITIONS, COULD RAISE QUESTIONS ABOUT HOW BINDING IT WAS. IN ADDITION, THE SOVIET REFERENCE TO THE "INITIAL DURATION" OF THE TREATY, WAS INAPPROPRIATE IN VIEW OF OUR DECISION, SINCE FEBRUARY, TO HAVE A TREATY OF LIMITED DURATION. ARTICLE II OF THE SOVIET TEXT WAS

NOT NEUTRAL; IT REFERRED TO AN "UNDERTAKING" THAT IT MIGHT NOT BE POSSIBLE TO FULFILL. FURTHERMORE, THE SOVIET TEXT WAS TOO DETAILED REGARDING PROCEDURES FOR CONSIDERING PNES. NEIDLE ASKED, FOR EXAMPLE, WAS THE SOVIET DEL
SECRET

SECRET

PAGE 02 GENEVA 11782 02 OF 02 021128Z

CERTAIN THAT THE NEGOTIATIONS ON PNES SHOULD BEGIN ON THE VERY DAY AFTER THE TREATY ENTERED INTO FORCE? THIS WAS A POSSIBLE INTERPRETATION OF THE SOVIET DRAFT'S CALL FOR BEGINNING NEGOTIATIONS "IMMEDIATELY". NEIDLE ALSO SAID THAT WHILE WE DID NOT PRECLUDE "SPECIAL AGREEMENTS", A CONCEPT CONTAINED IN THE SOVIET DRAFT, WE BELIEVED THAT THE PROTOCOL SHOULD REFER SPECIFICALLY TO THE AMENDMENT PROCEDURE BECAUSE WE WOULD WANT ALL PARTIES TO REMAIN BOUND BY THE PROHIBITIONS OF ARTICLE I OF THE PROTOCOL EVEN IF THE NUCLEAR WEAPON STATE (NWS) PARTIES SHOULD MANAGE TO DEVELOP PROCEDURES WHEREBY THEY COULD CONDUCT NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES. THAT IS, WE WOULD NOT WANT ANY TYPE OF NWS AGREEMENT TO TERMINATE THE PROTOCOL AND TO RELEASE OTHER STATES FROM THEIR OBLIGATIONS, AND REFERENCE TO AMENDMENTS WOULD MAKE IT CLEAR THAT IN THE ABSENCE OF A SPECIFIC AMENDMENT, THOSE OBLIGATIONS REMAINED. IN OUR TEXT, WE TRIED NOT TO BE DOGMATIC, REFERRING ONLY TO "SUCH TREATY AMENDMENTS AS MAY BE APPROPRIATE." TIMERBAEV RESPONDED THAT THE DELEGATIONS SHOULD CONSIDER CAREFULLY THE TEXTS AND ARGUMENTS THAT HAD BEEN MADE.

8. IN INFORMAL DISCUSSION WITH US DELOFFS AFTER THE MEETING, SLIPCHENKO (USSR) SAID THAT IT WOULD NOT BE ACCEPTABLE FOR ARTICLE I OF THE PROTOCOL SIMPLY TO PARALLEL ARTICLE I OF THE TREATY. THE SOVIET CONCEPT OF A MORATORIUM, SUGGESTING A TEMPORARY BAN ON PNES, REPRESENTED THE SOVIET DEL'S VIEW OF HOW TO APPROACH ARTICLE I OF THE PROTOCOL. THE US DELOFFS REITERATED THAT THE WORD "MORATORIUM", BY ITSELF, DID NOT CONSTITUTE A SUFFICIENTLY UNAMBIGUOUS PROHIBITION OF EXPLOSIONS DURING THE PERIOD IN WHICH NO PNE REGIME HAD BEEN AGREED UPON, AND THAT IT WOULD BE NECESSARY TO WORK OUT A MUTUALLY
SECRET

SECRET

PAGE 03 GENEVA 11782 02 OF 02 021128Z

ACCEPTABLE FORMULATION FOR THIS AS WELL AS OTHER ASPECTS OF THE PROTOCOL. JOHNSON

SECRET

NNN

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 02 aug 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978GENEVA11782
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: X3
Errors: N/A
Expiration:
Film Number: D780316-0091
Format: TEL
From: GENEVA
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t197808109/aaaadnbw.tel
Line Count: 221
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 98148b58-c288-dd11-92da-001cc4696bcc
Office: ACTION SS
Original Classification: SECRET
Original Handling Restrictions: EXDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: SECRET
Previous Handling Restrictions: EXDIS
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 jun 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1565255
Secure: OPEN
Status: NATIVE
Subject: CTB NEGOTIATIONS: INITIAL CONSIDERATION OF PNE PROTOCOL IN POLITICAL WORKING GROUP; AUGUST 1, 1978 CTB
MESSAGE NO. 279
TAGS: PARM, US, UK, UR
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/98148b58-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014